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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE
LITIGATION

Case No.: 21 MC 102(AKH)

THIS DOCUMENT APPLIES TO ALL LOWER
MANHATTAN DISASTER SITE LITIGATION

STIPULATION OF DISCONTINUANCE AS
TO DEFENDANTS, 90 CHURCH STREET
LIMITED PARTNERSHIP and BOSTON
PROPERTIES , INC., ONLY

SEE ATTACHED "EXHIBIT A"

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned for the parties herein, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action and based on the representation of the within defendants, and to the extent of Plaintiff(s) can so Stipulate that each claim, cross-claim and counter-claim asserted by and against defendants 90 CHURCH STREET LIMITED PARTNERSHIP and BOSTON PROPERTIES , INC. (hereinafter collectively referred to as "BOSTON PROPERTIES"), only as to the claims being made as to the premises located at 90 Church Street (Post Office), New York, New York for the cases listed in the attached exhibit shall be and the same hereby are discontinued without prejudice without costs to any party as against the other.

IT IS FURTHER STIPULATED AND AGREED that should evidence be discovered throughout the course of the litigation which determines that "BOSTON PROPERTIES", are proper parties to this suit, that plaintiff(s) may reinstitute the action without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendants shall not assert Statute of Limitation as a defense.

This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York
February 1, 2013

McGIVNEY & KLUGER, P.C.
Attorneys for Defendant
90 CHURCH STREET LIMITED PARTNERSHIP
and BOSTON PROPERTIES , INC.

By: 
Richard E. Leff, Esq.
80 Broad Street, 23rd Floor
New York, New York 10004
(212) 509-3456

GREGORY J. CANNATA & ASSOCIATES, P.C.
Attorneys for Plaintiff(s)

By: 
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(212) 233 - 5400

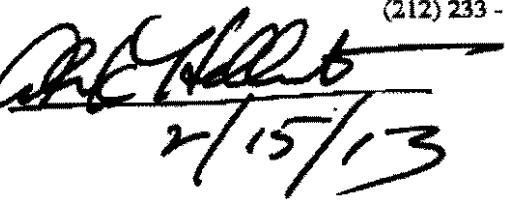
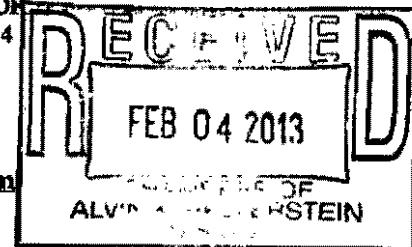
So Ordered 
2/15/13

EXHIBIT A

PLAINTIFF'S NAME	INDEX NUMBER
Krysiuk, Ryszard	08CV06804

McGIVNEY & KLUGER, P.C.

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February 4, 2013

VIA FACSIMILE
(212) 805-7942

Clerk of the Court
 United States District Court for
 the Southern District of New York
 500 Pearl Street
 New York, New York 10007

Attention: Mr. Brett Edkins

**RE: In Re: World Trade Center Disaster Site Litigation,
 21 MC 102/21 MC 103 (AKH)
 90 Church Street Limited Partnership and Boston Properties**

Dear Mr. Edkins:

Our office represents the defendants 90 Church Street Limited Partnership and Boston Properties (herein collectively "Boston Properties") in the World Trade Center litigation. As against this defendant, plaintiffs have claimed alleged exposure at 90 Church Street.

The plaintiffs' firm of Gregory J. Cannata & Associates, P.C. has agreed to voluntarily dismiss the claims of one of their clients as against Boston Properties for alleged exposure at these locations without prejudice. Enclosed is a Stipulation of Dismissal with the accompanying exhibit identifying the case being dismissed for this location. We respectfully request Judge Hellerstein "So Order" same.

Thank you for your time and consideration in this matter. As always, please contact me with any questions.

Very truly yours,

McGIVNEY & KLUGER, P.C.

By: Richard E. Leff

BOSTON FARMINGTON FORT LAUDERDALE FLORHAM PARK NEW YORK
 PHILADELPHIA PROVIDENCE SPARTA SYRACUSE WILMINGTON

Brett Edkins
February 4, 2013
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REL
Enclosure

Cc: via email:

Robert Gochow Esq.
Gregory J. Cannata & Associates, P.C.